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Andrew B. Fremier
Deputy Executive Director,
Bay Area Toll Authority

Therese W. McMillan
Deputy Executive Director, Policy

**Legislation Committee
January 9, 2009
Minutes**

Chair Rubin called the committee to order at 10:10 a.m. Committee members in attendance: Azumbrado, Dodd, Giacomini, Haggerty, Halsted, Lempert, Rubin, Spering, Worth. Also in attendance: Commissioners Bates, Tissier.

Minutes of the Dec. 12, 2008 meeting were unanimously approved following a motion by Commissioner Spering and a second by Commissioner Worth.

MTC Advisory Committees

Appointments to Advisory Committees – Resolution No. 3516, Revised

Pam Grove of MTC staff asked the committee to consider six appointments to its advisory committees: Rita Foti to the Advisory Council, Suzanne Levine to the Elderly and Disabled Advisory Committee (EDAC), and Luis Quiñonez, Robert Liems, Dustin Daza and Wayne Lee to the Minority Citizens Advisory Committee. Ms. Grove said one vacancy remains on EDAC, and that a recommendation would be made at next month's meeting. The appointments were approved after a motion by Commissioner Spering and a second by Commissioner Worth. Resolution 3516, Revised was referred to the Commission.

MTC Advisory Council 2009 Work Plan

Therese Knudsen of MTC staff introduced Advisory Council Vice Chair Bob Planthold to present the Council's work plan for FY 2009-10. He outlined the five major topic areas of the work plan: land use, sustainable transportation, business outreach, project selection, programming and evaluation, and transportation funding and pricing reform. Advisory Council Chair Cathy Jackson was also present, and expressed her desire to work cooperatively with the Commission.

State Budget Update

Rebecca Long of MTC staff presented key elements of the Democratic proposal to address the state's budget crisis, noting that the proposal was already vetoed by Governor Schwarzenegger and the state was entering a period of great uncertainty. She depicted the proposal as providing more funding overall but with less flexibility and less public transit funding.

Randy Rentschler of MTC staff said that while the Democratic proposal contains some of MTC's legislative goals, the proposal is an enormous and complicated change to a long-standing state transportation program. He offered the committee an opportunity to provide direction. Because of the immense complexity of the budget issue, Chair Rubin deferred to Executive Director Steve Heminger. Mr. Heminger said the information was primarily an alert to commissioners, but that the budget proposal would raise many questions, such as MTC's advocacy in Washington, and the approach taken by counties that lack a local transportation sales tax, etc.

Chair Rubin requested that a clear sense of consequences at the local level be presented. Commissioner Bates noted the importance of advocacy for public transit funds. Commissioner Sperring said the proposal does not solve the core budget problem. Commissioner Worth was concerned about consequences to the region's public transportation system. Mr. Heminger said that time after time transportation competes poorly when put up against the state's General Fund. Regarding conversion to a fee mechanism, it would at least restrict legislators' ability to take transportation monies away to use for General Fund purposes. Commissioner Lempert requested a list of pros and cons that could be discussed with legislators, noting that if legislators are going to do something damaging to transportation they need to know the consequences.

Ms. Long distributed a summary of the governor's FY 2010 budget proposal, which would eliminate State Transit Assistance, transfer those monies to the General Fund for transit-related expenses, such as school buses and transportation services for the disabled. The budget also anticipates fewer Proposition 42 funds, but the proposed sales tax rate increases would compensate. The governor's budget proposes to advance Proposition 1B funds with the objective of providing economic stimulus.

Ms. Long presented a list of projects already on hold due to the budget crisis. Commissioner Azumbrado asked about the moving away from funding for mass transit and if looking toward only federal government contribution was being considered. Ms. Long thought piggybacking on the federal economic stimulus package was not necessarily the answer, except maybe to help backfill. Commissioner Worth asked about the costs of delays on projects currently on hold due to the budget delay, and suggested "keeping the heat on Sacramento." Mr. Heminger hoped for more detail to be available at the Programming and Allocations Committee's Jan. 14th meeting.

State Legislation

Legislative Scorecard

Ms. Long provided a comparison of MTC's legislative achievements in 2008 as compared to its 2008 Legislative Program. In summary, seven of the 16 state bills supported by MTC were enacted. Three federal bills that MTC supported failed passage. Commissioner Giacopini thanked MTC for following her suggestion to provide a scorecard and suggested that this become a standard practice at the end of each year.

Legislative History

Ms. Long distributed the Jan. 8, 2009 edition of the Legislative History and noted that, so far, all bills of interest to MTC had already been vetoed by the governor except for one, SB 10 (Leno), which was in the Senate. Also, there is a Constitutional Amendment, SCA1b (Wyland), which is in the Senate Rules Committee.

Toll Bridge Legislative Strategy

Based on recent analysis by Caltrans and the Bay Area Toll Authority regarding reduced toll traffic, the effects of the 2008 credit crisis, and the need to seismically retrofit two more bridges, Mr. Rentschler presented steps to pursue in the upcoming legislative session: 1) amend the Toll Bridge Seismic Retrofit Program to include the Antioch and Dumbarton bridges, 2) make changes to the balance of shared responsibility between toll payers and the state, and 3) seek authority to ask voters for greater flexibility over toll structures that would also include congestion pricing and

a high-occupancy toll network. To be able to seek a legislative bill author, Mr. Rentschler requested action today. Commissioner Worth moved to approve the legislative strategy, which was seconded by Commissioner Lempert and referred to the Commission.

Federal Legislation

Federal Transportation Authorization

Chair Rubin opened the item by first recognizing members of the public:

Carli Paine of TransForm advocated more progressive priorities for the region than reflected in the federal transportation authorization principles. She said Transform's priorities for a national bill are to: 1) spend wisely, 2) benefit all users, 3) reduce dependence on fossil fuels, 4) provide non-car options, 5) create a truly multi-modal network, and 6) make transportation choices available to everyone. She said that the Greenbelt Alliance was in agreement.

Laura Cohen of Rails-to-Trails Conservancy also sought a stronger statement from MTC, one that includes recognizing bicycle/pedestrian mobility and increasing access to transit in order to make the next transportation authorization a real multi-modal bill.

Mr. Rentschler presented the consensus authorization principles as having been developed by many organizations across the state. He said the principles were an informational item this month and meant to generate public comment. He said that next month the Committee would be asked to consider the principles for adoption. He said areas that appear most important for the region include a gas tax increase, freight movement, and a substantial and sizeable Metro Mobility Program. Chair Rubin asked for a written copy of the public comment.

Tom Bulger's Report

The report from MTC's Washington, D.C. advocate was received by the Committee. Mr. Rentschler pointed out that the goal in Washington D.C. is getting the stimulus package in a usable form.

Other Business/ Adjourn

Mr. Rentschler introduced the Committee's new secretary, Leslie Lara. The committee's next meeting was scheduled for Feb. 13, 2009. The meeting was adjourned at 11 a.m.